

October 8, 2018

**Via Electronic Filing**

Jocelyn G. Boyd, Esq.  
Chief Clerk & Administrator  
Public Service Commission of South Carolina  
101 Executive Center Drive, Suite 100  
Columbia, SC 29210

**RE: Letter in Support of ORS' Motion to Compel Removal of Confidential  
Designation Filed October 1, 2018  
Docket Nos. 2017-207-E; 2017-305-E; and 2017-370-E**

Dear Ms. Boyd,

Intervenor AARP submits this letter in support of the South Carolina Office of Regulatory Staff's ("ORS") Motion to Compel Removal of Confidential Designation filed with the Public Service Commission on October 1, 2018.

This Motion marks the third time that ORS has been compelled to seek relief from the Commission in the face of what appears to be continued delay and obfuscation by SCE&G and Dominion ("Joint Applicants"). In its order dated August 17, 2018<sup>1</sup> addressing ORS' second motion to compel<sup>2</sup>, the Commission noted SCE&G's apparent disingenuous responses to ORS' discovery requests, the lack of a record demonstrating SCE&G's compliance with previous Commission orders regarding discovery, the lack of any persuasive reason for SCE&G to withhold certain documents, and the "seeming clarity" of SCE&G's violations the Commission's order on ORS' second motion to compel.

It is the public policy of South Carolina that open records are vital to a democratic society and that state business should be performed in an open and public manner so that its citizens are fully informed.<sup>3</sup> These consolidated cases are of the utmost interest to the general public, including AARP's 625,000 members in South Carolina. The decisions that the Commission will ultimately make in these cases will substantially impact the economic well-being of SCE&G's captive customers for many years to come, and so it is essential that the

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<sup>1</sup> Order No. 2018-117-H

<sup>2</sup> Motion to Sanction Joint Applicants and to Compel Production of Wrongfully Withheld Documents in Joint Applicants' Privilege Log, Filed August 8, 2018.

<sup>3</sup> South Carolina Freedom of Information Act, Chapter 4, Section 30-4-15.

record in these cases be as open as possible. AARP members deserves to see as much of the evidence as is possible in this important matter; therefore, the Commission should err on the side of sunshine and openness, removing any unnecessary confidentiality from SCE&G's discovery responses.

For the reasons stated in ORS' Motion and those stated herein, AARP respectfully requests that this Commission grant ORS' Motion to Compel Removal of Confidential Designation and place the burden of justifying its confidentiality designations where it properly belongs, on SCE&G.

Respectfully Submitted,

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Attorneys for AARP

CC: Via Electronic Mail to All Parties of Record in the Above-mentioned Dockets

